

FOR PUBLICATION
UNITED STATES COURT OF APPEALS
FOR THE NINTH CIRCUIT

| | |
|--|--|
| GARY TOMCZYK, <div style="text-align: right;"><i>Petitioner,</i></div> <div style="text-align: center;">v.</div> MERRICK B. GARLAND, Attorney General, <div style="text-align: right;"><i>Respondent.</i></div> | |
|--|--|

No. 16-72926

Agency No.
A029-468-078

ORDER

Filed July 6, 2021

ORDER

THOMAS, Chief Judge:

Upon the vote of a majority of nonrecused active judges, it is ordered that this case be reheard en banc pursuant to Federal Rule of Appellate Procedure 35(a) and Circuit Rule 35-3. The three-judge panel disposition is vacated.